

In November 2010, Amtrak Inspector General (IG) Ted Alves asked the U.S. Postal Service Office of Inspector General (OIG) to conduct an independent investigation into **whether Amtrak employees improperly searched Amtrak OIG e-mail**. That investigation has been completed. The following sets forth the rationale for the request, along with a summary of the Postal Service OIG findings.

Rationale

On November 18, 2010, the Postal Service OIG Special Inquiries Division received a request from the Amtrak OIG to investigate allegations that Amtrak executives and employees improperly searched Amtrak OIG e-mail. Amtrak IG Ted Alves advised that congressional staff had received confidential information that Amtrak executives improperly searched OIG e-mail, including e-mail from whistleblowers.

Summary

Until 2010, Amtrak and Amtrak's OIG utilized a shared global e-mail system with the same domain name: *amtrak.com*. This shared system was designed with input from former Amtrak IG Fred E. Weiderhold, Jr. Because all e-mail resided on the same server using the same domain name, no separation existed between Amtrak corporate e-mail and Amtrak OIG e-mail. As a result, Amtrak OIG e-mail was open and accessible during global e-mail searches by Amtrak Law Department staff using a discovery search tool called *EmailXtender*.

Agents determined that Weiderhold at least twice asked Amtrak's Law Department to conduct e-mail searches that included OIG e-mail. The investigation examined these two searches, as well as other instances in which Amtrak personnel conducted searches resulting in the capture of OIG e-mail. Agents did not identify any evidence of inappropriate targeting of OIG e-mail or deliberate misconduct by Amtrak employees or contractors who conducted the searches requested by Weiderhold, or any other e-mail searches. Further, all Amtrak employees and contractors who conducted e-mail searches reported believing that the searches were conducted within the scope of their work.

In November 2010, as a solution to this flawed system, Amtrak President and Chief Executive Officer Joseph Boardman and IG Ted Alves signed an agreement establishing protocols for conducting future e-mail searches. In addition to this agreement, a new domain name was established for Amtrak OIG, ***amtrakoig.gov***, to prevent OIG e-mail from being included in future Amtrak e-mail searches.